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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JOSEPH LOCHUCH EWALAN,

11 Plaintiff,

12 v.

13 WASHINGTON STATE
14 DEPARTMENT OF
CORRECTIONS, et al.,

15 Defendants.

CASE NO. C20-5678JLR

ORDER

16 **I. INTRODUCTION**

17 Before the court are Plaintiff Joseph Lochuch Ewalan's motions to meet and
18 confer and file a joint status report ("JSR") (1st JSR Mot. (Dkt. # 137); 2d JSR Mot.
19 (Dkt. # 143)), for leave to file PTSD evidence (Evid. Mot. (Dkt. # 138)), and for an order
20 for transport at trial (Transp. Mot. (Dkt. # 139)). The court has reviewed Mr. Ewalan's
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1 submissions, relevant portions of the record, and applicable law. Being fully advised,¹
 2 the court DENIES each motion.

3 **A. Mr. Ewalan's JSR Motions**

4 On June 8, 2023, the court ordered the parties to meet and confer and file a JSR.
 5 (*See* 6/8/23 Order (Dkt. # 135); 6/22/23 Min. Order (Dkt. # 142) (extending JSR deadline
 6 from June 30, 2023 to July 31, 2023, per Mr. Ewalan's request).) Nevertheless, Mr.
 7 Ewalan asks the court to compel Defendants to meet and confer with him. (*See* 1st JSR
 8 Mot.) Mr. Ewalan's first JSR motion is moot because the court has already ordered the
 9 relief he seeks. *See, e.g., Powell v. McCormack*, 395 U.S. 486, 496 (1969) ("a case is
 10 moot when the issues presented are no longer 'live' or the parties lack a legally
 11 cognizable interest in the outcome."); (*see* 6/22/23 Min. Order (ordering the parties to
 12 meet and confer). The court therefore DENIES Mr. Ewalan's first JSR motion.

13 Mr. Ewalan's second JSR motion asks the court to compel the parties to meet and
 14 confer on a specific schedule, via specific communication methods, and regarding
 15 specific topics. (*See generally* 2d JSR Mot.) The court set forth the topics the parties'
 16 JSR must cover and the deadline for submitting the JSR in its June 22, 2023 minute
 17 order. (*See* 6/22/23 Min. Order at 2 (ordering the parties to file a JSR "identifying a
 18 proposed trial date and anticipated length of trial and summarizing the parties' issues or
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 21 ¹ Mr. Ewalan's second JSR motion is noted for July 14, 2023. (*See* Dkt.) However, the
 22 court finds Mr. Ewalan's motion to be moot and exercises its discretion to decide the motion
 without waiting for his reply. *See* Fed. R. Civ. P. 1 (instructing the court "to secure the just,
 speedy, and inexpensive determination of every action and proceeding").

concerns as they move toward trial.”.) The court declines Mr. Ewalan’s invitation to micromanage other aspects of the process and DENIES his second JSR motion.

B. Mr. Ewalan’s Motions to Admit Evidence and for Transport

Mr. Ewalan has repeatedly moved to admit evidence of his PTSD and to order the Department of Corrections (“DOC”) to transport him to trial; each time, the court has denied the motions as premature because no trial date has been set. (*See, e.g.*, 11/16/20 Order (Dkt. # 39); 4/12/22 Order (Dkt. # 100); 5/10/22 Order (Dkt. # 104); 10/17/22 Order (Dkt. # 121).) Because the court has yet to set a trial date, Mr. Ewalan’s similar, instant motions to admit evidence and to order the DOC to transport him are still premature. (*See* Dkt; *see also* Evid. Mot. at 2 (acknowledging lack of trial date).)² Accordingly, the court DENIES Mr. Ewalan’s motions to admit evidence and to order the DOC to transport him without prejudice. The court will not consider further motions to admit evidence or to order transport until after a trial date is set.

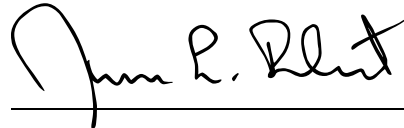
II. CONCLUSION

For the foregoing reasons, the court DENIES Mr. Ewalan’s motions to meet and confer and file a JSR (Dkt. ## 137, 143), and DENIES Mr. Ewalan’s motions for leave to file PTSD evidence (Dkt. # 138) and for transport at trial (Dkt. # 139) without prejudice to raising these issues after a trial date is set.

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² The court refers Mr. Ewalan to this District’s Local Rules setting forth pretrial procedures, including procedures for introducing evidence at trial. *See* W.D. Wash. Local Rules, LCR 16(e), 16(h)-(k); *see also* LCR 16.1.

1 Dated this 6th day of July, 2023.

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4 JAMES L. ROBART
5 United States District Judge
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